

AMENDED IN SENATE MAY 11, 2011

AMENDED IN SENATE MARCH 24, 2011

SENATE BILL

No. 659

Introduced by Senator Hernandez

February 18, 2011

An act to amend ~~Sections 507 and 508 of~~ *Section 507 of, and to add Section 301.5 to,* the San Gabriel Basin Water Quality Authority Act (Chapter 776 of the Statutes of 1992), relating to the San Gabriel Basin Water Quality Authority.

LEGISLATIVE COUNSEL'S DIGEST

SB 659, as amended, Hernandez. San Gabriel Basin Water Quality Authority: board members.

The San Gabriel Basin Water Quality Authority Act authorizes the San Gabriel ~~Water~~ Basin *Water* Quality Authority to plan, finance, and implement groundwater remediation activities, as prescribed. The act requires the authority to be governed by a board composed of 7 members, consisting of 3 members appointed by the San Gabriel Valley Municipal Water District, the Upper San Gabriel Valley Municipal Water District, and the Three Valleys Municipal Water District; ~~2 members~~ *one member* elected by specified cities *with pumping rights* within the San Gabriel Basin; *one member elected by specified cities without pumping rights within the San Gabriel Basin;* and 2 producer members appointed by the San Gabriel Valley Water Association. The act prescribes 4-year terms of office for the board members. *The act also provides for the appointment or election of alternates by each of those entities.*

This bill would authorize each of those entities appointing or electing a board member or alternate, by a majority vote, to remove the board

member or alternate without cause and at any time prior to the expiration of the board member's or alternate's term of office, and to appoint or elect another person as the member or alternate to serve for the remaining term of the office, as specified.

~~This bill would require the members appointed by the water districts and the producer members to hold office at the pleasure of their respective appointing authorities, instead of holding a 4-year term of office, and would make conforming changes to the act.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 301.5 is added to the San Gabriel Basin*
2 *Water Quality Authority Act (Chapter 776 of the Statutes of 1992),*
3 *to read:*

4 *Sec. 301.5. "Appointing authority" means the following:*

5 *(a) With respect to a member or alternate appointed pursuant*
6 *to subdivision (a) of Section 503, the Board of Directors of the*
7 *Upper San Gabriel Valley Municipal Water District.*

8 *(b) With respect to a member or alternate appointed pursuant*
9 *to subdivision (b) of Section 503, the Board of Directors of the*
10 *San Gabriel Valley Municipal Water District.*

11 *(c) With respect to a member or alternate appointed pursuant*
12 *to subdivision (c) of Section 503, the Board of Directors of the*
13 *Three Valleys Municipal Water District.*

14 *(d) With respect to a member or alternate appointed pursuant*
15 *to Section 503.1, the board of directors of the Water Association.*

16 *(e) With respect to the member or alternate appointed pursuant*
17 *to subdivision (a) of Section 504, the cities with pumping rights.*

18 *(f) With respect to the member or alternate appointed pursuant*
19 *to subdivision (b) of Section 504, the cities without pumping rights.*

20 *SEC. 2. Section 507 of the San Gabriel Basin Water Quality*
21 *Authority Act (Chapter 776 of the Statutes of 1992), as amended*
22 *by Section 7 of Chapter 905 of the Statutes of 2000, is amended*
23 *to read:*

24 *Sec. 507. (a) Except as provided in subdivisions (b) and (c),*
25 *the terms of the members shall commence on the first Monday in*
26 *January and each member shall hold office for a term of four years*
27 *and until the successor takes office.*

(b) With respect to the initial board members, the terms of the member appointed by the Three Valleys Municipal Water District and the member elected by the cities without pumping rights shall expire on January 1, 1995, and the terms of the remaining members shall expire on January 1, 1997.

(c) The terms of the initial producer members and alternates shall commence on the first business day after the appointment of the producer members and alternates. The terms of the initial producer members and alternates shall expire on the fourth January 1 following commencement of their term.

(d) *Notwithstanding subdivision (a), the appointing authority, by a majority vote, may remove that member or alternate without cause and at any time prior to the expiration of the member's or alternate's term of office, and may appoint or elect another person as a member or alternate. A person appointed or elected pursuant to this subdivision shall meet the qualifications applicable to the office and shall serve for the remaining term of the office.*

~~SECTION 1. Section 507 of the San Gabriel Basin Water Quality Authority Act (Chapter 776 of the Statutes of 1992), as amended by Section 7 of Chapter 905 of the Statutes of 2000, is amended to read:~~

~~Sec.507. (a) (1) Except as provided in subdivision (b), the terms of the members elected by the cities shall commence on the first Monday in January and each member elected by the cities shall hold office for a term of four years and until the successor takes office.~~

~~(2) Members and alternates appointed by the water districts pursuant to Section 503 and producer members and alternates appointed pursuant to Section 503.1 shall serve at the pleasure of their respective appointing authorities. This paragraph shall apply to the members and alternates holding office as of January 1, 2011, and to all subsequent members and alternates appointed pursuant to Sections 503 and 503.1.~~

~~(b) With respect to the initial board members, the term of the member elected by the cities without pumping rights shall expire on January 1, 1995, and the term of the member elected by the cities with pumping rights shall expire on January 1, 1997.~~

~~SEC. 2. Section 508 of the San Gabriel Basin Water Quality Authority Act (Chapter 776 of the Statutes of 1992), as amended~~

1 by Section 3 of Chapter 810 of the Statutes of 2001, is amended
2 to read:

3 Sec. 508. Any vacancy in the office of a member shall be filled
4 as follows:

5 (a) (1) A vacancy in the office of a member or alternate who
6 was appointed by a water district shall be filled by the appointing
7 water district by a resolution adopted by a majority vote of the
8 district governing board. The person appointed to fill the vacancy
9 shall meet the qualifications applicable to the vacant office.

10 (2) If a water district member or alternate water district member
11 ceases to be a member of the board of directors of a water district,
12 the office on the board occupied by that member shall be deemed
13 vacant.

14 (b) (1) A vacancy in the office of a member or alternate who
15 was elected by cities shall be filled by a special election called by
16 the authority. Only those cities which elected the member or
17 alternate to the office in which the vacancy has occurred are eligible
18 to vote. Nominations and balloting shall be conducted in the same
19 manner as a regular election, except that the date of the election
20 and time periods shall be as prescribed by the authority. The
21 member or alternate elected to fill a vacancy shall meet the
22 qualifications applicable to the vacant office and shall serve for
23 the remaining term of the vacant office.

24 (2) If a city member or alternate city member ceases to be a city
25 council member, the office on the board occupied by that member
26 shall be deemed vacant.

27 (c) A vacancy in the office of a producer member or alternate
28 who was appointed by the board of directors of the Water
29 Association shall be filled pursuant to Section 503.1.